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**FARJAMI & FARJAMI LLP**  
AN INTELLECTUAL PROPERTY LAW FIRM

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**Date:** September 24, 2004

**To:** United States Patent and Trademark Office  
Examiner: Kevin M. Burd, Art Unit: 2631

**Fax:** (703) 872-9314

**Re:** **Application Serial No.: 09/264,065**  
Filing Date: 3/8/1999; Inventor(s): Peshkin, et al.  
Attorney Docket No.: 01CON222P

**From:** Farjami & Farjami LLP

**Number of pages including the cover sheet:** 21**Message:**

Enclosed please find the Request for Continued Examination in Response to Advisory Action dated September 14, 2004. Payment for the First Month Extension Fee and RCE Fee in the amount of \$880.00 is hereby enclosed on Form PTO-2038.

Thank you.

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SEP 24 2004

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. CMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

|                        |                 |
|------------------------|-----------------|
| Application Number     | 09/264,065      |
| Filing Date            | March 8, 1999   |
| First Named Inventor   | Peshkin, et al. |
| Group Art Unit         | 2631            |
| Examiner Name          | Kevin M. Burd   |
| Attorney Docket Number | 01CON222P       |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0731
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card in the amount of \$880 (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                      |                                   |         |
|-------------------|----------------------|-----------------------------------|---------|
| Name (Print/Type) | Farhad Farjami, Esq. | Registration No. (Attorney/Agent) | 41,014  |
| Signature         |                      | Date                              | 9/24/04 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                   |               |      |         |
|-------------------|---------------|------|---------|
| Name (Print/Type) | LESLEY L. LAM | Date | 9/24/04 |
| Signature         |               |      |         |

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PTO/SB/30 (08-00)

Approved for use through 10/31/2002, OMB 0651-0031  
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| Filing Date            | March 8, 1999   |
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| Group Art Unit         | 2631            |
| Examiner Name          | Kevin M. Burd   |
| Attorney Docket Number | 01CON222P       |

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- b. ☐ Other \_\_\_\_\_

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The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

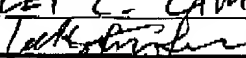
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- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card in the amount of \$880 (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |   |                                   |         |
|-------------------|---|-----------------------------------|---------|
| Name (Print/Type) | Farehad Farjani, Esq.   | Registration No. (Attorney/Agent) | 41,014  |
| Signature         |  | Date                              | 9/24/04 |

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SEP 24 2004  
Attorney Docket No.: 01CON222P  
Serial No.: 09/264,065

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|  |                                 |
|--|---------------------------------|
| <b>Applicant(s): Peshkin, et al.</b>   | <b>Group Art Unit: 2631</b>     |
| <b>Application Serial No.: 09/264,065</b>  | <b>Examiner: Burd, Kevin M.</b> |
| <b>Filed: March 8, 1999</b>  |                                 |
| <b>Title: Methods and Apparatus for<br/>Communicating Commands and<br/>Data Using Logical Channels</b> |                                 |

**REQUEST FOR CONTINUED EXAMINATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner:

This Request for Continued Examination is in response to the Advisory Office Action, dated September 14, 2004, in the above-referenced patent application. Please enter and consider the following amendments and remarks.